

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JUNE 29, 2005**

UNAPPROVED
AUGUST 16, 2005

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Frank A. de la Fe, Hunter Mill District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Nancy Hopkins, Dranesville District
Ronald W. Koch, Sully District
Kenneth A. Lawrence, Providence District

ABSENT: Rodney L. Lusk, Lee District
Peter F. Murphy, Jr., Springfield District
Laurie Frost Wilson, Commissioner At-Large

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The meeting was called to order at 8:16 p.m. by Vice Chairman John R. Byers, in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Alcorn thanked Commissioners who attended the public information session on the Chesapeake Bay Map amendments held on Thursday, June 23, 2005, sponsored by the Department of Public Works and Environmental Services. He then announced that the decision only on the amendments was scheduled for tomorrow night and encouraged Commissioners who had questions, comments, or concerns to meet with him prior to the meeting.

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Commissioner Harsel noted that the Commission would not meet next week and reminded Commissioners that the joint Planning Commission/School Facilities Committee would meet at 7:30 p.m. on Wednesday, July 13, 2005, in the Board Conference Room. She said the School Board would brief Commissioners on the recently adopted policy concerning communication towers on school property and added that all Commissioners were welcome to attend.

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Commissioner Koch MOVED THAT THE PUBLIC HEARING ON SE 2005-SU-007, KOREAN CENTRAL PRESBYTERIAN CHURCH TRUSTEES, BE DEFERRED TO A DATE CERTAIN OF SEPTEMBER 21, 2005.

Commissioners Hall and Lawrence seconded the motion which carried unanimously with Commissioners Lusk, Murphy, and Wilson absent from the meeting.

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ZONING ORDINANCE AMENDMENT (BALL CONTAINMENT FENCING) (Decision Only)

(The public hearing on this application was held on June 15, 2005. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Hart MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE PROPOSED AMENDMENT ENTITLED "CONTAINMENT STRUCTURES ASSOCIATED WITH OUTDOOR RECREATION/SPORTS FACILITY PLAYING FIELDS/COURTS AND GOLF COURSES," AS SET FORTH IN THE STAFF REPORT DATED MAY 9, 2005, INCORPORATING STAFF'S AMENDMENTS THROUGH JUNE 29, 2005.

Commissioners Koch and de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Harsel and Hopkins abstaining; Commissioners Lusk, Murphy, and Wilson absent from the meeting.

Commissioner Hart MOVED THAT THE PLANNING COMMISSION ENDORSE THE CONTAINMENT STRUCTURE INFORMATION FORM WITH GUIDELINES AS AMENDED THROUGH JUNE 29, 2005.

Commissioner de la Fe seconded the motion which carried by a vote of 7-0-2 with Commissioners Harsel and Hopkins abstaining; Commissioners Lusk, Murphy, and Wilson absent from the meeting.

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RZ 2004-MV-035 - LEANDER MCCORMICK-GOODHART, HENRIETTA MCCORMICK-GOODHART BURKE (Decision Only)

(The public hearing on this application was held on June 15, 2005. A complete verbatim transcript of the decision made is included in the date file.)

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-MV-035, SUBJECT TO THE DRAFT PROFFERS DATED JUNE 26, 2005.

Commissioners Hall and Lawrence seconded the motion which carried by a vote of 6-0-2 with Commissioners Harsel and Hopkins abstaining; Commissioner Alcorn not present for the vote; Commissioners Lusk, Murphy, and Wilson absent from the meeting.

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FSA-H96-22-2 - CINGULAR, 2201 Cooperative Way

Commissioner de la Fe MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE MODIFICATION PROPOSED BY NEW CINGULAR (FORMERLY AT&T WIRELESS SERVICES, INC.), FOR THE EXISTING TELECOMMUNICATIONS FACILITY AT 2201 COOPERATIVE WAY, IS IN CONFORMANCE WITH RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN" PURSUANT TO SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AS AMENDED.

Commissioner Hopkins seconded the motion which carried unanimously with Commissioners Lusk, Murphy, and Wilson absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. 2232-B05-6 - FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES
2. RZ 2004-MV-032/FDP 2004-MV-032 - CRANFORD STREET, LLC

This order was accepted without objection.

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2232-B05-6 - FAIRFAX COUNTY DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES - Appl. to construct a parking structure at the Burke Centre Virginia Railway Express Station, located at 5671 Roberts Pkwy, Burke. Tax Map 77-2 ((1)) 19C, 19D, 19E, 19F. Area III. Copies of the application with a description of the facility may be obtained from the Dept. of Planning and Zoning, 7th fl., Herrity Building, 12055 Government Center Pkwy., Fairfax. BRADDOCK DISTRICT. PUBLIC HEARING.

David Jillson, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended that the Planning Commission find the proposal by the Fairfax County Department of Public Works and Environmental Services (DPWES) to be substantially in accord with provisions of the adopted Comprehensive Plan.

Commissioner Harsel pointed out that the proposal had been the result of the Burke Centre Virginia Railway Express (VRE) Station Parking Garage Task Force, led by Braddock District Supervisor Sharon Bulova, and said it included Burke Centre area neighbors. She noted that the task force had met for two years gathering input regarding the design, environment, pathways, and connections.

Carey Needham, Planning and Design Division, DPWES, stated that the project, included in Fairfax County's approved Capital Improvement Program, was an important part of the Board of Supervisors' Four-Year Transportation Plan. He noted that the increased parking capacity was needed to support the long-term projected increases in VRE ridership and to alleviate the immediate parking shortage at the site. He explained that DPWES staff had submitted a new floodplain study to Land Development Services for review, noting that previous improvements would not be located within the new floodplain limits and impervious spaces would not encroach into the Resource Protection Area (RPA).

In response to a question from Vice Chairman Byers, Mr. Needham said the applicant expected to receive the required floodplain approvals based on redevelopment of the area and noted that impervious surfaces would not progress farther to the south toward Sideburn Branch.

Responding to a question from Commissioner Harsel, Mr. Jillson indicated that the Burke Centre VRE station had been approved by the Planning Commission in January 1988 and that the parking lot had been approved in December 1985.

Continuing his presentation, Mr. Needham stated that there would be a 4 percent increase in the impervious area as a result of the proposal. He explained that the applicant would request an extension of the stormwater detention waiver and provide water quality features to meet the Chesapeake Bay requirements under the redevelopment standards, which would include rain gardens, an infiltration trench, and a dedicated area of conservation easement. He noted that the proposal would be partially funded with federal funds and a federal environmental impact study had been submitted for review, which would require another public hearing. Mr. Needham indicated that a finalized traffic study would be submitted to Land Development Services and said the proposal would not negatively impact the current level of service of nearby intersections. He stated that having the entrance located on the far-east end of the garage would maximize the morning rush hour traffic on the site and adding two outbound left-hand turn lanes from the site onto Premier Court would facilitate the evening rush hour traffic. He reported that beginning in 2003 staff had met regularly with the Burke VRE Community Task Force to address concerns, noting that the task force voted to support the current proposed plan in February 2005. Mr. Needham said the proposal had been greatly enhanced due to valuable community input and commended Supervisor Bulova's Office and community participants for their input and commitment in the process. He then presented design and perspective drawings, noting that the elevator tower would provide a direct connection to the VRE platform and a pedestrian overpass would be constructed when funding was available.

Mr. Needham explained that the applicant was committed to obtaining funding to fully implement construction of off-site pedestrian improvement projects, which included two off-site pedestrian trail sections connecting the site with the Burke Centre community to the south and pedestrian improvements at the Burke Centre Parkway/Roberts Road intersection. He noted that lighting would comply with Fairfax County lighting standards and the design met the criteria of location, character, and extent.

Vice Chairman Byers commented that any amount of impervious area in the floodplain limits was not acceptable.

In response to a question from Commissioner Alcorn, Mr. Needham indicated that the RPA delineation would follow the floodplain study based on its outcome and said the applicant acknowledged that as an issue. Commissioner Alcorn responded that the applicant might have to obtain an exception from the RPA Exception Review Board.

Responding to a question from Commissioner Hart, Mr. Jillson noted that if the proposed parking structure was partially located within the floodplain, the applicant would have to file for a special exception as required by the Zoning Ordinance.

In response to another question from Commissioner Hart, Mr. Needham said a special exception had not been filed because the applicant did not believe the proposed structure would be within the floodplain as a result of the new floodplain study.

Commissioner Alcorn pointed out that the applicant could apply for a special exception and a RPA exception concurrently.

Vice Chairman Byers called the first listed speaker and recited the rules for public testimony.

Kevin Morse, 6020 Old Landing Way, Burke, spoke in favor of the Kiss and Ride area providing a buffer between the garage and the Little League field because it would preserve the quality of the field. He noted that the Burke Centre Task Force had recommended 1,183 parking spaces be provided and said the proposed 1,550 spaces would have a significant impact on the surrounding community. He supported the proposed pedestrian improvements at the Burke Centre Parkway/Roberts Road intersection and added that vehicle improvements were needed as well. Mr. Morse expressed opposition to the Burke Centre area becoming an urban hub that supported the transportation needs of other communities. He suggested the following concessions to make the project more suitable for the surrounding communities: increased funding for the pedestrian bridge; addition of a Kiss and Ride area at the end of the abandoned Guinea Road; additional federal funding for EZ Bus service to expand to Rolling Valley and the Rolling Road VRE; and increased emphasis on paratransit services in the community to relieve traffic congestion and reduce demand on the garage.

Responding to a question from Commissioner de la Fe, Mr. Morse said he would support the application if his proposed concessions were met.

Robin Williamson, 5620 Summer Oak Way, Burke, said she was concerned that the existing entrance would not adequately accommodate the proposed volume of traffic and emergency vehicle access, noting the unsafe conditions at the Premier Court/Burke VRE Parking Lot Driveway intersection. She recommended the addition of another entrance and a traffic light.

Mary Cortina, 5709 Water's Edge Landing Court, Burke, representing The Burke Centre Conservancy, stated that the Burke Centre Task Force was unanimous in its recommendations for the garage design, pedestrian access to the garage, and operations during construction. She said the proposed 1,550 parking spaces exceeded the guidelines for the subject property as identified in the Comprehensive Plan. However, Ms. Cortina indicated that the Burke Centre community supported the final proposal based on commitments made by Fairfax County staff that the garage would be constructed as presented to the community and environmental Best Management Practices (BMPs) would be implemented to protect Sideburn Branch Stream. She suggested that pedestrian access to the VRE station and EZ Bus service remain priorities for the County and traffic flow be adequately managed for the safety of residents. She commended Supervisor Bulova, County staff and their architects, and VRE staff for working with the community on the project. She said she was hopeful that County staff would follow through with their commitments.

In response to a question from Commissioner Alcorn, Ms. Cortina recommended that the application be approved with the commitments made by the County and with the support of Supervisor Bulova, but said she was still concerned that the environmental issues had not been addressed.

Commissioner Harsel recognized Sam DiBartolo, who had submitted the proposal for the clock tower on the parking structure.

There being no more speakers, Vice Chairman Byers called for a rebuttal statement from Mr. Needham.

Mr. Needham acknowledged that some residents preferred the garage to be significantly smaller, but said based on the feasibility study the number of parking spaces was projected to be 1,750 by 2025. He noted that the applicant had addressed many of the design concerns; however, he said it was not practical to remove the top level of the garage as suggested. He stated that all community concerns had been addressed with the exception of some funding issues for off-site pedestrian improvements and the number of parking spaces. Mr. Needham explained that the applicant was committed to obtaining the funding to complete construction of the Burke Centre Parkway/Roberts Road priority pedestrian improvements and said he believed that Supervisor Bulova's Office was committed to pursuing the north-side pedestrian access connection when funding was available. He pointed out that there was already EZ Bus service in the community and pedestrian connections across the Roberts Parkway Bridge from the north to the site. He noted that the applicant had met all standard design protocols for emergency vehicle access to the site and said the entrance would adequately accommodate the traffic flow.

Mr. Needham described proposed transportation improvements and said the applicant was committed to constructing the project consistent with the commitments made to the public. He noted that all environmental requirements would be met, with the exception of the existing detention waiver extension, and said although minor water quality provisions would be made to the surface parking area to provide detention for the site, the proposal would fully comply with the BMP and the Chesapeake Bay requirements.

Responding to a question from Commissioner Lawrence, Mr. Needham said that emergency vehicle access to the Little League field would be improved due to the single lane entry to the site and the proximity of the surface parking area to the field.

In response to questions from Commissioners Hart and Harsel, Mr. Jillson explained that the proposal would provide two exiting left-turn lanes onto Premier Court, noting that the far right-hand lane would be a combined left-turn/right-turn lane.

Commissioner Harsel pointed out that a 2232 application did not require an approved Generalized Development Plan and said the Planning Commission could only determine whether the location, character, and extent of the proposed facility was substantially in accord with the adopted Comprehensive Plan.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Byers closed the public hearing and recognized Commissioner Harsel for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION APPROVE APPLICATION 2232-B05-6.

Commissioner Hall seconded the motion which carried unanimously with Commissioners Lusk, Murphy, and Wilson absent from the meeting.

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The next case was in the Mount Vernon District; therefore, Vice Chairman Byers relinquished the Chair to Secretary Harsel.

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RZ 2004-MV-032/FDP 2004-MV-032 - CRANFORD STREET, LLC

- Appls. to rezone from R-1 to PDH-5 to permit residential development at a density of 3.9 dwelling units per acre (du/ac) and approval of the conceptual and final development plans. Located S. of Gunston Cove Rd., approx. 400 ft. W. of its intersection with

Richmond Hwy. on approx. 8.97 ac. of land. Comp. Plan Rec: 1-2 du/ac with option of 4-5. Tax Map 113-2 ((1)) 17; 113-2 ((2)) 1B pt., 2, 2A, 3, 5-15 and portions of Cranford St. and Marion Pl. public right-of-way to be vacated and/or abandoned. (Approval of this application may enable the vacation and/or abandonment of portions of the public rights-of-way for Cranford St. and Marion Pl. to proceed under Section 15.2-2272 (2) of the *Code of Virginia*.) MOUNT VERNON DISTRICT. PUBLIC HEARING.

Lynne Strobel, Esquire, with Walsh, Colucci, Lubeley, Emrich & Terpak, PC, reaffirmed the affidavit dated May 27, 2005. Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had a pending case with Ms. Strobel's law firm but there was no financial relationship and it would not affect his ability to participate in this case.

Aaron Shriber, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

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Secretary Harsel relinquished the Chair to Parliamentarian Alcorn.

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Ms. Strobel stated that the proposed plan represented a consolidation of the Lorton Valley Subdivision, which was the subject of an Out-of-Turn Plan Amendment adopted by the Board of Supervisors on March 21, 2005. She said the applications allowed the subdivision to be redeveloped in a manner that would be compatible with adjacent properties, noting that the proposed development would be integrated with the adjacent parcels through street connections and shared recreation facilities. She indicated that the proffers included contributions to schools, the Park Authority, and the Affordable Housing Trust Fund. Ms. Strobel said the applicant had worked with the South County Federation to address their concerns, noting that the issue regarding the consolidation of lot 4 had been resolved due to the addition of interparcel access and the applicant's commitment to construct frontage improvements if right-of-way was acquired. She noted that if the right-of-way was not acquired, funds would be escrowed for future construction of frontage improvements. She explained that the applicant had also proffered to construct frontage improvements to the north side of Gunston Cove Road if the right-of-way was dedicated. She stated that as a result of proffer commitments, the Mount Vernon Council and the South County Federation supported the applications. Ms. Strobel requested that Development Condition Number 2, regarding the removal of five parking spaces in proximity to the stormwater management pond, be deleted because she said those spaces were provided by the applicant to address community concerns.

Commissioners Hart and Byers recommended that the sidewalk and street be moved 5 feet from lots 12, 13, and 20 so that the homes were located 15 feet from the sidewalk to provide them with a deeper front yard. Ms. Strobel responded that the applicant would address this issue.

There being no speakers for these applications, Parliamentarian Alcorn noted that a rebuttal statement was not necessary. He then called for concluding staff remarks from Mr. Shriber, who declined. There were no further comments or questions from the Commission; therefore, Parliamentarian Alcorn closed the public hearing and recognized Commissioner Byers for action on this case. (A verbatim excerpt is in the date file.)

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Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF RZ 2004-MV-032, SUBJECT TO THE PROFFERS CONSISTENT WITH THOSE DATED JUNE 28, 2005.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Lusk, Murphy, and Wilson absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION APPROVE FDP 2004-MV-032, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED JUNE 29, 2005, WITH CONDITION 2G DELETED AND THE REMAINDER RENUMBERED, AND SUBJECT TO THE BOARD'S APPROVAL OF RZ 2004-MV-032.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Lusk, Murphy, and Wilson absent from the meeting.

Commissioner Byers MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE 600 FOOT LIMITATION ON THE MAXIMUM LENGTH OF PRIVATE STREETS.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Harsel not present for the vote; Commissioners Lusk, Murphy, and Wilson absent from the meeting.

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Vice Chairman Byers resumed the Chair and adjourned the meeting.

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The meeting was adjourned at 9:39 p.m.
John R. Byers, Vice Chairman
Suzanne F. Harsel, Secretary

CLOSING

June 29, 2005

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Kara A. DeArrastia

Approved on: _____

Linda B. Rodeffer, Clerk to the
Fairfax County Planning Commission